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10/782,167	02/19/2004	Tatsuo Yokota	ALPINE.040AUS	4489

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EXAMINER
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MAHMOOD, REZWANUL

ART UNIT	PAPER NUMBER
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2164

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/782,167	<b>Applicant(s)</b> YOKOTA ET AL.	
	<b>Examiner</b> Rezwanul Mahmood	<b>Art Unit</b> 2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This action is in response to the communication filed on January 22, 2008.

#### ***Response to Amendment***

2. Claims 1-16 are pending in this office action.

#### ***Response to Arguments***

3. Applicant's arguments filed on January 22, 2008 have been fully considered but they are not persuasive for the following reasons:

Applicant argues that Brunts and Abbott does not teach or even suggest the features "show the user and the guest separately", "storing the information on the name of the guests and destinations associated with the guests", "modifying existing information in the guest database", and "when the user has visited the destination with or without the guest", "selecting the best destination to entertain a particular guest".

Examiner respectfully disagrees all of the allegations as argued. Examiner, in his previous office action, gave detail explanation of claimed limitation and pointed out exact locations in the cited prior art.

Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the specification. See MPEP 2111 [R-1]

#### **Interpretation of Claims-Broadest Reasonable Interpretation**

During patent examination, the pending claims must be 'given the broadest reasonable interpretation consistent with the specification.' Applicant always has the

opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969).

Brunts teaches in Column 3 lines 65-67, Column 4 lines 1-3, Column 7 lines 1-10, Column 14 lines 14-25 and 52-64, Figures 10 and 14A-16E and Abbott teaches in Paragraphs 175, 187, 203, 214 and 215, Figures 11G, 11H, and 12A-12H the features of the claimed invention. Brunts discloses a database that can store information about destinations, which can be edited when the user travels to a new location and retrieved when the user wants to travel to a specific listed destination. The Brunts reference does not explicitly disclose storing destination information associated with a particular user or guest, but Abbott discloses displaying separate profiles for user and his friends or colleagues who he goes out to lunch with. These people accompanying the user can be interpreted as guests. The profile information contains restaurant information, either to be visited or listed as recommended. The user or guest profile page can be modified by updating existing information. The user is also able to add information to the profile, which can be additional destinations the user visited or were recommended to the user, with or without having a guest with him. The user can select a destination to take his guest to lunch or to entertain, the destination can be one of the recommended destinations or a destination the user decides is best for his guest. Therefore, the teachings of Brunts modified with the teachings of Abbott disclose the features of the claimed invention.

For the above reasons, Examiner believed that rejection of the last Office action

was proper.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brunts (US Patent 5,887,269) in view of Abbott (US Publication 2007/0022384).

With respect to claim 1, Brunts discloses a guest data management method for a navigation system, comprising the following steps of:

creating a database which stores at least information on names and information on destinations associated with the user where such information is created by a user (Brunts: Column 3, lines 65-67; Column 4, lines 1-3; Column 7, lines 1-10; Figure 10; Figures 14A-16E);

However, Brunts does not explicitly disclose:

storing information on names of guests and information on destinations associated with the guests where such information is created by a user.

The Abbott reference, however, discloses creating themes which contain context information related to people associated with a user (Abbott: Paragraphs 175, 187, 203, 214 and 215; Figures 11G, and 11H; Here the user can create themes which contain

information about different people associated with the user, which can also contain information about destinations associated with those people).

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to modify the teachings of Brunts with the teachings of Abbott to create a guest database which stores names and information on names of guests and information on destinations associated with the guests where such information is created by the user for creating, modifying, analyzing, characterizing, distributing, modeling, and using themes that represent context of a user (Abbott: Paragraph 29, lines 1-3).

Brunts in view of Abbott discloses:

editing the guest database by modifying the information stored in the database or adding new information to the database when the user has visited the destination with or without guest (Brunts: Column 14, lines 14-25 and lines 52-64; Abbott: Paragraph 181; Figures 12A-12H); and

retrieving information from the guest database for determining a destination for a travel with one of the guests whose information is stored in the database (Brunts: Column 2, lines 56-59; Column 7, lines 1-10; Figure 8d ; Abbott: Paragraphs 175, 187, 203, 214 and 215; Here the user can save specific information for later use, which can be retrieved when determining a destination, in the case of traveling with a guest, the previously saved guest information can be used to decide a destination);

wherein the user is a person who uses the navigation system and the guest is a person who is entertained and went to the destination with the user (Abbott: Paragraphs

175, 187, 203, 214 and 215; Here inherently the user is the person using the navigation system, the guest can be the person who accompanied the user).

With respect to claim 2, Brunts in view of Abbott discloses a guest data management method as defined in claim 1, wherein said database includes information as to whether a particular guest is pleased or the guest shows favorable opinion on a particular destination (Bruns: Column 7, lines 39-45; Column 14, lines 52-64; Figure 10; Abbott: Paragraphs 175, 187, 203, 214 and 215; Here the user can save destination related information and various comments about a particular guest).

With respect to claim 3, Brunts in view of Abbott discloses a guest data management method as defined in claim 1, wherein said database includes information on a driver of a vehicle used for the travel to the destination (Bruns: Column 14, lines 52-64; Figure 10; Here the database containing information has several categories of destination data, which can contain information about persons involved in travel to the destination).

With respect to claim 4, Brunts in view of Abbott discloses a guest data management method as defined in claim 1, wherein said database includes information created by the user based on personal impression of a particular destination acquired when the user visited the destination or evaluation of the destination by the user (Bruns: Column 7, lines 1-10 and lines 39-45; Column 14, lines 52-64; Abbott:

Paragraphs 175, 187, 203, 214 and 215; Here the information user saves can include information about personal impressions relating to different destinations).

With respect to claim 5, Brunts in view of Abbott discloses a guest data management method as defined in claim 1, wherein said database includes information created by the user based on impression or opinion expressed by a particular guest when the user and the guest visited the destination (Brunts: Column 7, lines 1-10 and lines 39-45; Column 14, lines 52-64; Abbott: Paragraphs 175, 187, 203, 214 and 215; Here the information user saves can include information about personal or guest impressions relating to different destinations).

With respect to claim 6, Brunts in view of Abbott discloses a guest data management method as defined in claim 1, wherein said step of creating the guest database includes a step of storing relevant information through a manual input process made by the user (Brunts: Column 7, lines 1-10 and lines 39-45; Column 14, lines 52-64; Here the user manually enters the information using an input device).

With respect to claim 7, Brunts in view of Abbott discloses a guest data management method as defined in claim 1, wherein said step of creating the guest database includes a step of automatically storing information available through a normal operation of the navigation system including a name of a destination, address of the destination, and a time and date of visiting the destination (Brunts: Column 15, lines 5-



16; Column 16, lines 61-67; Here address, time and date related to the destinations are automatically provided by the navigation system or device).

With respect to claim 8, Brunts in view of Abbott discloses a guest data management method as defined in claim 1,

wherein said step of creating the guest database includes a step of storing information available through an extended function of the navigation system including road condition, traffic condition, or weather condition during a travel to a destination when the navigation system includes appropriate sensors or a wireless communication means to acquire information on such conditions (Abbott: Paragraph 50, 89, 173 and 178; Figures 11A, 11B and 11K).

With respect to claim 9, Brunts in view of Abbott discloses a guest data management apparatus for a navigation system, comprising:

means for creating a guest database which stores at least information on names of guests and information on destinations associated with the guests where such information is created by a user (Brunts: Column 3, lines 65-67; Column 4, lines 1-3; Column 7, lines 1-10; Figure 10; Figures 14A-16E; Abbott: Paragraphs 175, 187, 203, 214 and 215; Figures 11G, and 11H; Here the system has the information on one of the plurality of memory cards or one of the category or directory created by the user in a memory card, the user can edit the information on names of guests and on destinations associated with the guests);

means for editing the guest database by modifying the information stored in the database or adding new information to the database when the user has visited the destination with or without guest (Bruns: Column 14, lines 14-25 and lines 52-64; Abbott: Paragraph 181; Figures 12A-12H); and

means for retrieving information from the guest database for determining a destination for a travel with one of the guests whose information is stored in the database (Bruns: Column 2, lines 56-59; Column 7, lines 1-10; Figure 8d; Abbott: Paragraphs 175, 187, 203, 214 and 215; Figures 11G, and 11H; Here the user can save specific information for later use, which can be retrieved when determining a destination, in the case of traveling with a guest, the previously saved guest information can be used to decide a destination);

wherein the user is a person who uses the navigation system and the guest is a person who is entertained and went to the destination with the user (Abbott: Paragraphs 175, 187, 203, 214 and 215; Here inherently the user is the person using the navigation system, the guest can be the person who accompanied the user).

With respect to claim 10, Bruns in view of Abbott discloses a guest data management apparatus as defined in claim 9, wherein said database includes information as to whether a particular guest is pleased or the guest shows favorable opinion on a particular destination (Bruns: Column 7, lines 39-45; Column 14, lines 52-64; Figure 10; Here the user can save destination related information).

With respect to claim 11, Brunts in view of Abbott discloses a guest data management apparatus as defined in claim 9, wherein said database includes information on a driver of a vehicle used for the travel to the destination (Bruns: Column 14, lines 52-64; Figure 10; Here the database containing information has several categories of destination data, which can contain information about persons involved in travel to the destination).

With respect to claim 12, Brunts in view of Abbott discloses a guest data management apparatus as defined in claim 9, wherein said database includes information created by the user based on personal impression of a particular destination acquired when the user visited the destination or evaluation of the destination by the user (Bruns: Column 7, lines 1-10 and lines 39-45; Column 14, lines 52-64; Here the information user saves can include information about personal impressions relating to different destinations).

With respect to claim 13, Brunts in view of Abbott discloses a guest data management apparatus as defined in claim 9, wherein said database includes information created by the user based on impression or opinion expressed by a particular guest when the user and the guest visited the destination (Bruns: Column 7, lines 1-10 and lines 39-45; Column 14, lines 52-64; Here the information user saves can include information about personal or guest impressions relating to different destinations).

With respect to claim 14, Brunts in view of Abbott discloses a guest data management apparatus as defined in claim 9, wherein means for creating the guest database includes means for storing relevant information through a manual input process made by the user (Bruns: Column 7, lines 1-10 and lines 39-45; Column 14, lines 52-64; Here the user manually enters the information using an input device).

With respect to claim 15, Brunts in view of Abbott discloses a guest data management apparatus as defined in claim 9, wherein said means for creating the guest database includes means for automatically storing information available through a normal operation of the navigation system including a name of a destination, address of the destination, and a time and date of visiting the destination (Bruns: Column 15, lines 5-16; Column 16, lines 61-67; Here address, time and date related to the destinations are automatically provided by the navigation system or device).

With respect to claim 16, Brunts in view of Abbott in view of Isaac discloses a guest data management apparatus as defined in claim 9, wherein said means for creating the guest database includes means for storing information available through an extended function of the navigation system including road condition, traffic condition, or weather condition during a travel to a destination when the navigation system includes appropriate sensors or a wireless communication means to acquire information on such conditions (Abbott: Paragraph 50, 89, 173 and 178; Figures 11A, 11B and 11K).

***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Ohno reference (US Patent 7,043,358) teaches about a updatable navigation system. The Stankoulov reference (US Patent 7,043,357) teaches about extensible navigation systems. The Ohishi reference (US Patent 6,385,535) teaches about a navigation system. The Endo reference (US Publication 2005/0125234) teaches about flagged locations. The Kynast reference (US Publication 2005/0234617) teaches about a driver support system. The Cotter reference (US Publication 2006/0053090) teaches about personalizing user content..

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to REZWANUL MAHMOOD whose telephone number is (571)272-5625. The examiner can normally be reached on M - F 10 A.M. - 5 P.M. .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571)272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. M./  
Examiner, Art Unit 2164

/Shahid Al Alam/  
Primary Examiner, Art Unit 2162

April 10, 2008